

REMARKS

The Office action mailed on 27 December 2004 (Paper No. 20041224) has been carefully considered. Allowance of claims 1, 2 and 4 thru 7 as set forth in paragraph 9 of the Office action is appreciated. Claims 8 and 20 are being amended. Thus, claims 1, 2 and 4 thru 20 remain pending in the application.

In paragraph 3 of the Office action, the Examiner rejected claims 14 and 15 under 35 U.S.C. §112 (second paragraph) for lack of antecedent basis. Specifically, the Examiner alleges that there is no antecedent basis for "said second portion" in claims 14 and 15. However, that recitation was deleted from claims 14 and 15 in the Amendment filed on 28 October 2003 (Paper No. 8). Thus, the recitation is no longer present in claims 14 and 15 so that the rejection under 35 U.S.C. §112 (second paragraph) does not apply, and should be withdrawn.

In paragraph 5 of the Office action, the Examiner rejected claims 8 thru 12, 14 and 20 under 35 U.S.C. §102 for alleged anticipation by Jung, U.S. Patent No. 6,456,341. In paragraph 7 of the Office action, the Examiner rejected claims 13, 18 and 19 under 35 U.S.C. §103 for alleged unpatentability over Jung '341. In paragraph 10 of the Office action, the Examiner stated that claim 15 would be allowable if rewritten to overcome the rejection under the second paragraph of 35 U.S.C. §112, and to include all of the limitations of the base claim and any intervening claims. In paragraph 11 of the Office action, the Examiner

also stated that claims 16 and 17 are objected to for dependency upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 or §103.

Turning to consideration of the rejection of claims 8 thru 12, 14 and 20 under 35 U.S.C. §102 for alleged anticipation by Jung '341, the Examiner apparently sees the following correspondence between the elements of independent claim 8 and the disclosure of Jung '341:

Claimed Elements	Elements of Jung '341
CRT	CRT 50
lens	lens 60
coupler	coupler 70
receptacle	coolant receiving portion 71
inlet	coolant injection hole 72
pack unit	elements 80, 85 and 87
pack	cap holder 85
pack holder	cap 80
through hole	coolant injection hole 72

With respect to the recitation of the pack unit in claim 8, that element is recited as including a pack, a pack holder disposed between the pack and the inlet, and a through hole formed in the pack holder and communicating with both pack and the receptacle. Considering Figures 5 and 7 of Jung '341, it would appear that the Examiner views the holder 85 of Figure 7 as corresponding to the claimed pack, and the cap 80 as corresponding to the claimed pack holder disposed between the pack and the inlet (coolant injection hole 72 in Figures 5 and 7). In addition, the Examiner apparently sees the coolant injection hole 72 as corresponding to the through hole formed in the pack holder (cap 80), and communicating with both the pack (holder 85) and the receptacle (the area identified by a "C" in Figure 5 and corresponding to the coolant receiving portion 71 of Figure 4 of Jung '341).

However, that correspondence of elements does not meet the requirements of claim 8. Specifically, if cap 80 corresponds to the recited pack holder, it cannot be said that the "pack holder" (cap 80) has a "through hole formed in said pack holder and communicating with both said pack and said receptacle" (quoting from the last two lines of claim 8). This is due to the fact that the cap 80 is a solid element with no means (that is, no hole or holes) for establishing communication between the holder 85 (the "pack") and the coolant receiving portion 71 (the "receptacle"). In fact, the specification of Jung '341 expressly teaches away from such an arrangement by stating "that the oil cap 80 and the coolant injection hole 72 can continue to form a seal" (quoting from column 3, lines 53-57 of Jung '341).

In addition, it is noted that the Examiner's analysis calls for the coolant injection hole 72 to correspond to both the "inlet" and the "through hole" recited in claim 8. In contrast, claim 8 clearly specifies that the "inlet" and the "through hole" are separate elements of the claim, the "inlet" being formed on one side of the coupler, and the "through hole" being part of the pack unit and, as previously stated, being formed in the pack holder and communicating with both the pack and the receptacle.

In the latter regard, in paragraph (g) on page 4 of the Office action, the Examiner alleges that the claimed "through hole" is met by "the through hole/passage that communicates with both the receiving portion 71 and pack holder 80 that is clearly disclosed in Fig. 5" (quoting from the Office action). The Examiner also states that "[t]he 'through hole' of Jung is not indicated with any numeral, but is shown as a channel that allows the passage or flow of the cooling liquid from the receiving portion 71 to the oil cap holder 80 or vice versa" (quoting from paragraph (g) on page 4 of the Office action).

Firstly, it is believed that the Examiner intended to refer to the oil cap 80, rather than "oil cap holder 80", in the latter quotation since the oil cap holder is identified by reference numeral 85, and since oil cap 80 corresponds to the claimed "pack holder" according to the Examiner's analysis.

Secondly, the "channel" referred to by the Examiner is identified by a reference

numeral, and is apparently the coolant injection hole 72 which provides communication into the coolant receiving portion 71 when the cap 80 and the cap holder 85 are not installed. However, when the cap 80 is installed, there is no such communication into coolant receiving portion 71 since, as stated in Jung '341, "the oil cap 80 and the coolant injection hole 72 ... form a seal" (quoting from column 3, lines 53-57 of Jung '341). This is because, as shown clearly in Figure 5, the cap 80 (the "pack holder") disposed between the cap holder 85 (the "pack") and the coolant injection hole 72 (the "inlet") is a solid, non-perforated device which does not have a "through hole formed in said pack holder [cap 80] and communicating with both said pack [cap holder 85] and said receptacle [coolant receiving portion 71]" as claimed.

For the above reasons, it is submitted that claim 8 is clearly not subject to rejection under 35 U.S.C. §102 for alleged anticipation. However, since Jung '341 does not suggest any modification of its arrangement so as to arrive at the arrangement recited in claim 8, and since Jung '341 in fact teaches away from the provision of a through hole which communicates with both the pack and the receptacle (*see* the above discussion relative to the seal provided by the cap 80, citing column 3, lines 53-57 of Jung '341), it cannot be said that claim 8 is rejected under 35 U.S.C. §103 for alleged obviousness in view of Jung '341.

Turning to consideration of claim 20, the same argument applies to the rejection of claim 20 under 35 U.S.C. §102 for alleged anticipation by Jung '341. That is to say, the table

of correspondence between the claimed elements and elements disclosed in Jung '341, as set forth above relative to the Examiner's analysis of claim 8, applies equally to the Examiner's analysis relative to claim 20. In particular, the Examiner cites coupler 70 as corresponding to the coupler recited in claim 20. However, the coupler recited in claim 20 is stated to have an inlet, with respect to which the Examiner cites coolant injection hole 72 as corresponding to the recited inlet. However, further on in the analysis (*see* page 6 of the Office action), the Examiner makes the same statement discussed above to the effect that "the through hole/passage (not given numeral indicator) that communicates with both the receiving portion 71 and pack 80" corresponds to the claimed "through hole formed in said first end of said pack holder, and communicating with both said receptacle and an interior of said sealed portion of said pack" (quoting from claim 20).

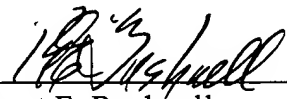
Again, the Examiner is apparently referring to coolant injection hole 72 in Figure 5 of Jung '341, but that element corresponds to the separately recited "inlet" of claim 20. Also, when considering claim 20, lines 6-9 (which recite the "pack" and "pack holder"), it is clear that cap 80 corresponds to the recited "pack holder" (not the "pack"), and that cap holder 85 corresponds to the recited "pack". Since cap 80 has no through hole formed in it, there is no communication provided between the "receptacle" (portion 71) and the "pack" (cap holder 85).

For these reasons, a rejection under 35 U.S.C. §102 for direct anticipation by Jung '341 is clearly inappropriate. However, for the same reasons stated above relative to claim 8, a rejection under 35 U.S.C. §103 for alleged obviousness in view of Jung '341 is also inappropriate.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Amendment.

Respectfully submitted,



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